

SECOND REGULAR SESSION

# SENATE BILL NO. 872

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR STOFFER.

Pre-filed December 12, 2007, and ordered printed.

TERRY L. SPIELER, Secretary.

3855S.011

## AN ACT

To repeal sections 226.510 and 226.560, RSMo, and to enact in lieu thereof two new sections relating to the regulation of outdoor advertising.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Sections 226.510 and 226.560, RSMo, are repealed and two  
2 new sections enacted in lieu thereof, to be known as sections 226.510 and  
3 226.560, to read as follows:

226.510. As used in sections 226.500 to 226.600, the following words or  
2 phrases mean:

3 (1) **"Conforming out of standard signs", those existing signs which**  
4 **meet the minimum size, lighting, and spacing requirements of the**  
5 **federal/state agreement and the regulations in effect prior to August 28,**  
6 **2002, but which fail to meet the current regulations for outdoor**  
7 **advertising;**

8 (2) "Freeway primary highway", that part of a federal-aid primary  
9 highway system, as of June 1, 1991, which has been constructed as divided, dual  
10 lane fully controlled access facilities with no access to the throughways except the  
11 established interchanges. When existing two-lane highways are being upgraded  
12 to four-lane limited access, the regulations for freeway primary highways shall  
13 apply as of the date the state highways and transportation commission acquires  
14 all access rights on the adjoining right-of-way;

15 [(2)] (3) "Interstate system", that portion of the national system of  
16 interstate highways located within the boundaries of Missouri, as officially  
17 designated or may be hereafter designated by the state highways and  
18 transportation commission with the approval of the Secretary of Transportation,

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

19 pursuant to Title 23, United States Code, as amended;

20        [(3)] (4) "Outdoor advertising", an outdoor sign, display, device, figure,  
21 painting, drawing, message, plaque, poster, billboard, or other thing designed,  
22 intended or used to advertise or inform, any part of the advertising or information  
23 contents of which is visible from any point of the traveled ways of the interstate  
24 or primary systems;

25        [(4)] (5) "Primary system", the federal-aid primary highways as of June  
26 1, 1991, and all highways designated as part of the National Highway System by  
27 the National Highway System Designation Act of 1995 and those highways  
28 subsequently designated as part of the National Highway System;

29        [(5)] (6) "Rest area", an area or site established and maintained within  
30 or adjacent to the highway right-of-way under public supervision or control, for  
31 the convenience of the traveling public, except that the term shall not include  
32 automotive service stations, hotels, motels, restaurants or other commerce  
33 facilities of like nature;

34        [(6)] (7) "Urban area", an urban place as designated by the Bureau of the  
35 Census, having a population of five thousand or more within boundaries to be  
36 fixed by the state highways and transportation commission and local officials in  
37 cooperation with each other and approved by the Secretary of Transportation, or  
38 an urbanized area as designated by the Bureau of the Census within boundaries  
39 to be fixed by the state highways and transportation commission and local  
40 officials and approved by the Secretary of Transportation. The boundary of the  
41 urban area shall, as a minimum, encompass the entire urban place as designated  
42 by the Bureau of the Census.

226.560. The provisions contained herein relating to size, spacing and  
2 lighting in zoned and unzoned commercial and industrial areas shall apply only  
3 to signs erected subsequent to March 30, 1972. **Signs which were legally**  
4 **erected in accordance with the size, lighting, and spacing regulations**  
5 **in effect prior to August 28, 2002, but which fail to comply with the new**  
6 **regulations effective on that date shall be considered as legal**  
7 **conforming out of standard signs under Missouri statutes and**  
8 **regulations and shall not be considered as nonconforming for failure**  
9 **to comply with the subsequently adopted size, lighting, and spacing**  
10 **requirements.**